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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/869,884	09/04/2001	Pasi Matti Kalevi Ahonen	027566-033	4385

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EXAMINER

DANIEL JR, WILLIE J

ART UNIT	PAPER NUMBER
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2686

DATE MAILED: 10/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/869,884

Applicant(s)

AHONEN, PASI MATTI KALEVI

Examiner

Willie J. Daniel, Jr.

Art Unit

2686

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 July 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 July 2004 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Drawings*

1. The objections to **Fig. 1** are withdrawn, as the proposed drawing corrections are approved.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claims 1-6** are rejected under 35 U.S.C. 102(b) as being anticipated by (**Vazvan WO 97/45814**).

Regarding **Claim 1**, Vazvan discloses a method of interworking between a payer terminal (1) which reads on the claimed “mobile terminal” and payee terminal (2) which reads on the claimed “local service” in which information is conveyed between the local service (2) and the mobile terminal (1) over a local wireless communication channel (see pg. 4, lines 21-35; Figs. 1, 2, 4, 5, and 6), the method comprising:

broadcasting from the local service (2), over the wireless communication channel, payee product details which reads on the claimed “service notification messages”; and (see pg. 4, lines 29-31; pg. 7, line 22-24; Figs. 5 and 6), where the payee product details are messages sent to the mobile terminal to inform the user of products and/or services.

conducting a mobile terminal (1) identification process between a mobile terminal (1) and the local service (2) over the wireless communication channel, said process only proceeding if the mobile terminal (1) is present within a localised region which is a sub-region of the region over which said service notification messages are broadcast (see pg. 6, lines 18-30; pg. 7, lines 22-36; Figs. 2 and 5), where the mobile terminal is within a sub-region of the larger coverage area which is within range of the local service for identification and authentication purposes.

Regarding **Claim 2**, Vazvan discloses a method according to claim 1, wherein the mobile terminal (1) is a cellular radio telephone or smart phone which communicates with a cellular radio network using a communications protocol distinct from the protocol used over said local communication channel (see pg. 4, lines 21-35; pg. 5, line 5-9; pg. 7, lines 30-34; Figs. 5 and 6).

Regarding **Claim 3**, Vazvan discloses a method according to claim 1, wherein the payee details which hereinafter reads on the claimed "service notification messages" are broadcast from the local service (2) via a broadcast antenna and the identification phase is carried out using a directional antenna or receiver provided at the local service (2) (see pg. 6, lines 18-30; pg. 7, lines 22-24; pg. 8, line 41 - pg. 9, line 4; Figs. 2, 5, and 6), where the local service has a transmitter/receiver for communicating with other devices by transmitting and receiving messages and identifying the other device.

Regarding **Claim 4**, Vazvan discloses an apparatus for interworking between a mobile terminal (1) and a local service (2) in which information is conveyed between the

local service (2) and the mobile terminal (1) over a local wireless communication channel (see pg. 4, lines 21-35; Figs. 1, 2, 4, 5, and 6), the apparatus comprising:

a local system (2) having transmitting means for broadcasting from the local service, over the wireless communication channel, service notification messages (see pg. 4, lines 29-31; pg. 7, line 22-24; Figs. 5 and 6), where the payee product details are messages sent to the mobile terminal to inform the user of products and/or services; and

at least one mobile terminal (1) arranged in use to conduct an identification process with the local service over the wireless communication channel, said process only proceeding if the mobile terminal (1) is present within a localised region which is a sub-region of the region over which said service notification messages are broadcast (see pg. 6, lines 18-30; pg. 7, lines 22-36; Figs. 2 and 5), where the mobile terminal is within a sub-region of the larger coverage area which is within range of the local service for identification and authentication purposes.

Regarding **Claim 5**, Vazvan discloses an apparatus according to claim 4, wherein the wireless communication channel is a radio channel, and the local system (2) comprises a directional \_radio transmitter or receiver whose transmission/reception area defines said localised region (see pg. 7, lines 22-36; Figs. 2 and 5), where the transmitter/receiver has a defined coverage area.

Regarding **Claim 6**, Vazvan discloses a local service for interworking with a mobile terminal (1) wherein information is conveyed between the local service (2) and the mobile terminal (1) over a local wireless communication channel (see pg. 4, lines 21-35; Figs. 1, 2, 4, 5, and 6), the local service (2) comprising:

transmitting means for broadcasting, over the wireless communication channel, service notification messages (see pg. 4, lines 29-31; pg. 7, line 22-24; Figs. 5 and 6), where the payee product details are messages sent to the mobile terminal to inform the user of products and/or services;

a directional transmitter or receiver for defining a localised transmission/reception region which is a sub-region of the region over which said service notification messages are broadcast (see pg. 7, lines 22-36; Figs. 2 and 5), where the transmitter/receiver has a sub-region for the coverage area; and

processing means for conducting an identification process with a mobile terminal over the wireless communication channel and using said directional transmitter or receiver, said process only proceeding if the mobile terminal is present within the localised region (see pg. 6, lines 18-30; pg. 7, lines 22-36; Figs. 2 and 5), where the mobile terminal is within a sub-region of the larger coverage area which is within range of the local service for identification and authentication purposes.

### ***Response to Arguments***

3. Applicant's arguments filed 01 July 2004 have been fully considered but they are not persuasive.

Regarding applicant's argument of Claim 1 on pg. 6, 6<sup>th</sup> paragraph, "Vazvan does not disclose broadcasting from the local service, over the wireless channel, service notification messages and conducting a mobile terminal identification process between a mobile terminal and a local service over a wireless communication channel, said process only proceeding if

the mobile terminal is present within a localised region which is a sub-region of the region over which said service notification messages are broadcast”, Examiner respectfully disagrees. Vazvan discloses the features

broadcasting from the payee terminal (2) which reads on the claimed local service, over the connectionless way which reads on the claimed “wireless channel”, product details which reads on the claimed “service notification messages” (see pg. 4, lines 24-26,29-38; Fig. 5), where the payee terminal (2) broadcast product details to the payer terminal (1) over a radio coverage area (see Fig. 5).

conducting a payer terminal (1) which reads on the claimed “mobile terminal” exchange information which reads on the claimed “identification process” between a mobile terminal (1) and a local service (2) over a wireless communication channel, said process only proceeding if the mobile terminal (1) is present within a localised region which is a sub-region of the region over which said service notification messages are broadcast (see pg. 7, lines 22-36; pg. 8, line 33 - pg. 9, line 26; pg. 8, lines 16-23; pg. 5, lines 20-25; pg. 10, lines 5-36; Fig. 5), where the terminal-to-terminal communication is provided within the smaller coverage area to exchange information (e.g., product details, account number, payments (telecash), and/or P-PIN code) for the purpose such as a secure transaction and signaling protocol which provides the transaction communication in a smaller region of a larger region (see Fig. 5, Example 3-4). The coverage areas can be adjusted from 1 millimeter to a few meters or more (see pg. 7, lines 29-30).

Regarding applicant’s argument of Claims 2-6 on pg. 8, 1<sup>st</sup> paragraph, the claims are rejected for the same reasons as set forth above in the rejection of Claim 1.

***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
  - a. **Griffith (US 6,195,541)** discloses an *Interaction of a Wireless Telephone with a Transaction Unit*.
  - b. **Joao et al. (US 5,903,830)** discloses a *Transaction Security Apparatus and Method*.
5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Willie J. Daniel, Jr. whose telephone number is (703) 305-8636. The examiner can normally be reached on 7:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha D. Banks-Harold can be reached on (703) 305-4379. The fax phone



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number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

WJD,JR  
03 October 2004

*Marsha D. Banks-Harold*  
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